

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TITLE OF THE INVENTION

Gaming Device and Method

### **FIELD OF THE INVENTION**

The following invention is generally related to instrumentalities and methodologies in gaming devices. More specifically, the instant invention is directed to a gaming device having a winning outcome where the player wins directly and a non-winning outcome which may be modified by the gaming device to produce a winning outcome. The invention transforms a non-winning outcome into a winning outcome if a permutation of the displayed symbols would produce a winning outcome according to a rule set. Most specifically, the following invention allows a gaming device to transform an initial non-winning outcome into a winning outcome by changing the location of one or more displayed symbols.

## BACKGROUND OF THE INVENTION

One problem common to all gaming machines is the frustration experienced by a player who is unable to achieve a winning combination, yet sees a "near miss" combination that shows a winning combination was just missed. For example, two symbols on a line match, but a third matching symbol is one position off. Players may be superstitious and seek a "hot" machine because players want to believe that their machine is about to pay off. While successive "near miss" results retain the player's interest by encouraging this belief, if the player continues to lose in this situation, interest in the game is not retained and the player leaves the machine and stops gaming.

Several games have been developed that allow displayed symbols to change positions in a limited manner, giving the player another chance to win. These methods are capable of producing more winning combinations for the player, and thus may retain the player's interest more than traditional machines would. However, these changes in orientation are limited in the ways symbols may move and the changes are not guaranteed to produce winning results. In the end, these machines may be less popular with some players because the supposed "second chance" gives them little advantage over traditional methods.

A traditional reel slot has a single payline for three reels with twenty-two physical stops on each reel. A typical game play consists of spinning the reels and stopping the reels to indicate a winning or losing position. Some games in the

industry have special "nudge" symbols that have an indicator pointing up or down. When a nudge symbol pointing down lands above the payline, the symbol automatically moves down. When a nudge symbol pointing up lands below the payline, the symbol automatically moves up.

In these nudge games, only particular symbols can nudge. Usually the symbols have an up or down indicator, but sometimes a symbol can nudge both up and down. In all cases, the nudge symbols always nudge, whether a winning combination is made or lost by nudging.

The following prior art reflects the state of the art of which applicant is aware and is included herewith to discharge applicant's acknowledged duty to disclose relevant prior art. It is stipulated, however, that none of these references teach singly nor render obvious when considered in any conceivable combination the nexus of the instant invention as disclosed in greater detail hereinafter and as particularly claimed.

<u>PATENT NO.</u>	<u>ISSUE DATE</u>	<u>INVENTOR</u>
5,704,835	January 6, 1998	Dietz
5,997,401	December 7, 1999	Crawford

## SUMMARY OF THE INVENTION

The present invention is distinguishable over the prior art in a multiplicity of ways. For example, the instant invention provides a method and apparatus to transform certain non-winning outcomes into winning outcomes without further effort on the part of the player. This effectively provides the player with a greater opportunity of winning the game. The game transforms the first outcome only if the second outcome provides a payout.

In addition, the present invention transforms the initial outcome only when a winning outcome can be achieved based on a defined rule set. If an initial non-winning outcome cannot be transformed into a winning outcome, the player loses. If the initial non-winning outcome is a "near miss," or could be a winning outcome if the displayed symbols were in a different orientation, this invention automatically provides a win to the player by merely changing the orientation of these symbols to a winning outcome. The player is then rewarded for this winning outcome. In this way, the player's interest in gaming is retained by rewarding the player by adjusting an outcome that is not contemplated by the payable into one that is contemplated.

## OBJECTS OF THE INVENTION

Accordingly, it is a primary object of the present invention to provide a new and novel method and apparatus for rewarding a player whether the player wins or nearly wins an initial game according to both a paytable and a rule set.

A further object is to provide a device and method as characterized above wherein the player is rewarded if the outcome of the initial game can be manipulated according to a rule set to produce a second outcome that is contemplated by the paytable.

Viewed from a first vantage point, it is an object of the present invention to provide a gaming device, comprising, in combination: a display, a plurality of decision making means, wagering means, a processor including random means operatively coupled to the display, the decision making means and the wagering means to receive and transmit information therebetween, the display including a plurality of symbols oriented in an RXC matrix, the plurality of symbols changing as a function of the wagering means and the random means to provide a first outcome, the processor including a comparison means between the first outcome and a paytable, and including means to change the location of one or more symbols if said first outcome is not recognized by said paytable such that said one or more symbols move from their first outcome orientation to a different area in said RXC matrix to provide a second outcome recognized by said comparison means to be on said paytable.

Viewed from a second vantage point, it is an object of the present invention to provide a method for wagering on a gaming device, comprising the steps of: making a wager to enable the gaming device, evoking chance means to trigger an outcome, displaying the outcome, comparing the outcome to a paytable, awarding credits if the outcome is found on the paytable, determining whether an outcome found on the paytable can be made by permuting a losing outcome if the losing outcome is not on the paytable, manipulating the losing outcome to produce a winning outcome, and awarding credits for the manipulated outcome found on the paytable.

Viewed from a third vantage point, it is an object of the present invention to provide an apparatus for wagering, comprising, in combination: wagering means, means for displaying a plurality of symbols in an RXC matrix, means for comparing displayed symbols with N paylines to a paytable, means for incrementing an award due in the presence of a winning outcome, means for changing the location of at least one displayed symbol to produce a winning outcome and means for incrementing an award due in the presence of a manipulated outcome that is a winning outcome.

These and other objects will be made manifest when considering the following detailed specification when taken in conjunction with the appended drawing figures.

### **BRIEF DESCRIPTION OF THE DRAWINGS**

Figure 1 is a flowchart of the methodology according to the present invention.

Figure 2 is a depiction of the apparatus associated therewith.

Figure 3 is a depiction of the display screen shown in Figure 2, depicting an RXC matrix, having N paylines.

Figure 4 parallels Figure 3, illustrating a card game.

## DESCRIPTION OF PREFERRED EMBODIMENTS

Considering the drawings, wherein like reference numerals denote like parts throughout the various drawing figures, reference numeral 10 as shown in FIG. 2 is directed to the device according to the present invention.

In its essence, the apparatus 10 includes a housing 16 which supports a visual display 2, preferably a video monitor, therewithin. Alternatively, the device may use a mechanical reel system. The display 2 may include a window 8 for special messages or for incrementing counting of credits accumulated by the player. For example, the window 8 can be used to describe the initiation of the feature of the present invention or its duration, or describe the particular rule set, delineated infra. The device also includes an LED readout 4 for prompting the player and can provide similar verbiage as the window 8 or in lieu thereof, to stimulate the player. The device includes an inlet 6 for the reception therein for coins, currency or the like to auger in the inception of play. A plurality of decision-making buttons 12 are located on the face of the apparatus 10, preferable below the display 2 and a pull handle 14 can be used to initiate play as an alternative to supplement the decision-making buttons 12. A coin hopper 18 may be included to effectuate an output of an award due the player. The apparatus 10 may have a top portion 32 with a display thereon having a motif correlative with the game to be played and can include a paytable. A plurality of speakers 34 may be included on the device for aural interaction with the

player. The apparatus also includes a processor P coordinating all functions and a random number generator G operatively coupled thereto for generating outcomes.

More specifically, and with reference to FIG. 3, greater details with respect to the video display 2 can be explored. The display 2 features a plurality of symbols 20 arranged in a row and column (RXC) matrix 21. Paylines 22 correspond to areas on the matrix in which winning combinations may be located.

Referring to FIG. 1, the flow chart associated with the apparatus of FIGS. 2 and 3 can be explored. Initially, the player plays the game with a maximum bet or less. Preferably, but optionally, a maximum bet enables the features of the invention. Assume a maximum bet is required. If the player plays with less than a maximum bet, the outcome is determined by the symbols displayed according to the display in FIG. 3. If the player opts to play with a maximum bet, then after initial outcome is displayed, the player is immediately rewarded if the initial outcome corresponds to a value on an associated paytable, and is then given the option to play again or to quit and cash out. However, if the initial outcome does not correspond to a value on the paytable, all of the displayed symbols and their locations are compared to the paytable to determine whether a winning outcome may be produced by reorienting the symbols shown according to a rule set. If no winning combination can be produced from the displayed symbols, the player loses, and is given the option to play again or to quit and cash out. Should a winning combination be possible, the initial outcome is automatically manipulated to produce this winning combination

by automatically moving one or more displayed symbols to correspond to the winning combination. The player is then rewarded, according to the paytable, for the winning outcome that was produced.

The following rule set controls potential reorientation when the initial outcome does not correspond to the paytable. Some of the following rules in the rule set may be mutually exclusive.

1. Symbols may move one stop in either direction in a column.
2. Symbols may only move one stop from a single particular reel to establish winners. For instance, only reel three from a three reel machine may be allowed to move one stop to establish an outcome recognized by the paytable.
3. Symbols may only move one stop from a single reel to establish winners, but the symbol is not limited to a particular reel. For instance, two of the three winning symbols may be on reels two and three, and reel one moves one stop to establish an outcome recognized by the paytable.
4. Symbols may move one stop from multiple reels to establish winners, but not all reels. For instance, a five reel game may only allow moves on reels four and five.
5. All symbols may move one stop to establish an outcome recognized by the paytable.

6. A subset of symbols may move to complete an outcome recognized by the paytable. For example, only cards less than a ten may move in a five reel video poker machine.

7. Symbols may indicate a move direction (up or down) or symbols may move both directions.

8. A move can be based on precedence. For example, the highest winning combination recognized by the paytable may be used, the lowest winning combination may be used, or a bonus event combination of symbols might be used.

9. Symbols may move only during special events. Special events resulting in this invention may include, but are not limited to: time intervals whose occurrence and duration may vary (e.g., happy hour), a special symbol which triggers the invention on subsequent spins, system generated events, player card events, or random events. The special event times may or may not be indicated on the game with a light or other means.

10. These features may be applied to any number of reels or rows. For instance, a five reel, three row game could be used, or a six reel, four row game could be used.

11. These features may be applied to multiline games.

12. These features may be applied to video poker. For example, cards can move from row to row to establish the best possible winners, or cards may change rank or suit to provide a winning hand. For example, Figure 4 shows an

arrangement where a King and a Queen will move to a central row, providing a winning hand. As shown, the new hand yields a straight and a four card flush. In one embodiment (e.g. a maximum bet), if the spade King could transform to any heart, a flush would result. If the spade King transforms to a heart King, a royal flush would result.

*D&R* 13. These features may be applied to table card games. For example, cards can move from row to row to establish the best possible winners, or cards may change rank or suit to provide a sinning hand.

14. These features may be applied to video slot machines. In addition, the symbols do not have to be in different columns, the symbols can "shuffle" to establish winners.

15. These features may be applied to dice games. For example, one die (or more) can be rotated beyond an initial at rest position.

16. Dice can also move from row to row to establish the best possible winners.

Moreover, having thus described the invention, it should be apparent that numerous structural modifications and adaptations may be resorted to without departing from the scope and fair meaning of the instant invention as set forth hereinabove and as described hereinbelow by the claims.